

BK 0410 PG 0780

STATE MS. - DESOTO CO.

FILED

Prepared by and return to:
Jeffrie M. McClain, Attorney
Tennessee Valley Authority
1101 Market Street, CST 7A
Chattanooga, Tennessee 37402-2801
(423) 751-8125

JAN 31 4 28 PM '02

TVA Tract No. CHMDMW-21

BK 410 PG 780
W.E. DAVIS CH. CLK.

GRANT OF TRANSMISSION LINE EASEMENT

FOR AND IN CONSIDERATION of the sum of FORTY-SEVEN THOUSAND SIX HUNDRED AND NO/100 DOLLARS (\$47,600.00), cash in hand paid, receipt whereof is hereby acknowledged, the undersigned,

GERMANWOOD COMMERCIAL, LLC, a Mississippi limited liability company

has this day bargained and sold, and by these presents does hereby grant, bargain, sell, transfer, and convey unto the UNITED STATES OF AMERICA a permanent easement and right-of-way for the following purposes, namely: the perpetual right to enter at any time and from time to time and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, in, on, over, and across said right-of-way, together with the right to clear said right-of-way and keep the same clear of brush, trees, buildings, and fire hazards; to destroy or otherwise dispose of such trees and brush; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within 5 feet of any transmission line structure or conductor; all over, upon, across, and under the land described in Exhibit A hereto attached and by this reference hereby incorporated in and made a part of this instrument as fully as if here written.

It is the intent of the undersigned to convey easement rights as to its appurtenant interest, if any, in and to Tract CHMDMW-22, the adjacent railroad right-of-way as shown on the map referenced in Exhibit A.

The previous and last conveyance of this property is a deed recorded in Deed Book 367, page 600, in the office of the Chancery Court Clerk of DeSoto County, Mississippi. Laney Funderburk, as Trustee for A. Price Funderburk and Robert Andrew Funderburk, Sidney Vanderburg and wife, Orafine Vanderburg, and R. P. Funderburk, III, and wife, Elizabeth Funderburk (who covenants she is the same person as Hazel Elizabeth Bass Funderburk and Hazel Elizabeth Bass) covenant that they are the sole members of GERMANWOOD COMMERCIAL, LLC.

TO HAVE AND TO HOLD the said easement and right-of-way to the UNITED STATES OF AMERICA and its assigns forever.

GERMANWOOD COMMERCIAL, LLC, covenants with the said UNITED STATES OF AMERICA that it is lawfully seized and possessed of said real estate, has a good and lawful right to convey the easement rights hereinabove described, that said property is free of all encumbrances, and that it will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

GERMANWOOD COMMERCIAL, LLC, agrees that the payment of the purchase price above stated is accepted by it as full compensation for all damage caused by the exercise of any of the rights above described; except that the UNITED STATES OF AMERICA shall remain liable for any damage to annual growing crops and any direct physical damage caused to the property of the undersigned by its construction forces or by the construction forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said lines.

GERMANWOOD COMMERCIAL, LLC, for itself, and its successors and assigns, covenants with the UNITED STATES OF AMERICA that no buildings or fire hazards will be erected or maintained within the limits of the right-of-way, and agrees that this shall be a real covenant which shall attach to and run with the land affected by the easement rights and shall be binding upon everyone who may hereafter come into ownership of said land, whether by purchase, devise, descent, or succession.

IN WITNESS WHEREOF, GERMANWOOD COMMERCIAL, LLC, has caused this instrument to be executed by all its duly authorized members on this 31st day of JANUARY, 2002.

GERMANWOOD COMMERCIAL, LLC

By: *Laney Funderburk*
LANEY FUNDERBURK, as Trustee for A.
Price Funderburk and Robert Andrew
Funderburk, its Member

By: *Sidney Vanderburg*
SIDNEY VANDERBURG, its Member

By: *Orafine Vanderburg*
ORAFINE VANDERBURG, its Member

By: *R. P. Funderburk III*
R. P. FUNDERBURK, III, its Member

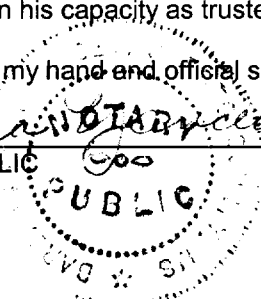
By: *Elizabeth Funderburk*
ELIZABETH FUNDERBURK, its Member

STATE OF MISSISSIPPI)
) SS
COUNTY OF DESOTO)

Personally appeared before me, the undersigned authority in and for the said county and state, on this 31st day of January, 2002, within my jurisdiction, the within named LANEY FUNDERBURK, as Trustee for A. Price Funderburk and Robert Andrew Funderburk, who acknowledged that he, as such trustee, is a Member of GERMANWOOD COMMERCIAL, LLC, a member-managed limited liability company, and that for and on behalf of the said company as such trustee, and as its act and deed in said capacity as trustee, he executed the above and foregoing, after first having been duly authorized by said company and in his capacity as trustee so to do.

WITNESS my hand and official seal this 31st day of January, 2002.

Barbara W. Jarney
NOTARY PUBLIC



My Commission Expires: MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 10, 2004
BONDED THRU STEGALL NOTARY SERVICE

STATE OF MISSISSIPPI)
) SS
 COUNTY OF DESOTO)

Personally appeared before me, the undersigned authority in and for the said county and state, on this 31st day of Jan., 2002, within my jurisdiction, the within named SIDNEY VANDERBURG, and ORAFINE VANDERBURG, who acknowledged that they are Members of GERMANWOOD COMMERCIAL, LLC, a member-managed limited liability company, and that for and on behalf of the said company, and as its act and deed they executed the above and foregoing instrument, after first having been duly authorized by said company so to do.

WITNESS my hand and official seal this 31st day of Jan., 2002.

Barbara Yancey
 NOTARY PUBLIC

MISSISSIPPI STATEWIDE NOTARY PUBLIC
 MY COMMISSION EXPIRES APRIL 10, 2004
 BONDED THRU STEGALL NOTARY SERVICE
 My Commission Expires

STATE OF MISSISSIPPI)
) SS
 COUNTY OF DESOTO)

Personally appeared before me, the undersigned authority in and for the said county and state, on this 31st day of Jan., 2002, within my jurisdiction, the within named R. P. FUNDERBURK, III, and ELIZABETH VANDERBURG, who acknowledged that they are Members of GERMANWOOD COMMERCIAL, LLC, a member-managed limited liability company, and that for and on behalf of the said company, and as its act and deed they executed the above and foregoing instrument, after first having been duly authorized by said company so to do.

WITNESS my hand and official seal this 31st day of Jan., 2002.

Barbara Yancey
 NOTARY PUBLIC

MISSISSIPPI STATEWIDE NOTARY PUBLIC
 MY COMMISSION EXPIRES APRIL 10, 2004
 BONDED THRU STEGALL NOTARY SERVICE
 My Commission Expires

EASEMENT OWNER: United States of America
Tennessee Valley Authority
 1101 Market Street, CST 7A
 Chattanooga, Tennessee 37402-2801

[Tax Exempt -
 Miss. Code § 27-37-301]

OWNER: GERMANWOOD COMMERCIAL, LLC
 1805 Hawthorne Drive
 Hernando, Mississippi 38632

(See D.B. 367, page 600)

INDEXING INFORMATION: SE 1/4 of the NE 1/4 and the NE 1/4 of the SE 1/4, both in Section 28,
 T1S, R6W

EXHIBIT A

**CORDOVA-HOLLY SPRINGS TRANSMISSION LINE
TAP TO MILLER SUB. TAP TO DESOTO ROAD SUB.
TAP TO MINERAL WELLS**

GERMANWOOD COMMERCIAL, LLC

A permanent easement for transmission line purposes on, over, and across a parcel of land located in Section 28, Township 1 South, Range 6 West of Desoto County, State of Mississippi, as shown on a map entitled "Cordova-Holly Springs Trans. Line, Tap to Miller Sub., Tap to Desoto Road Sub., Tap to Mineral Wells," drawing LW-5463, Sheet 10DCB, Revision 0, said parcel being more particularly described as follows:

Commencing at the southeast corner of the northeast quarter of said Section 28, Township 1 South, Range 6 West; thence N. 00° 43' 28" W., 421.72 feet with the east line of Section 28 to a point in the centerline of the location at survey station 82+46.56; thence leaving said point and with the centerline of said location S. 53° 37' 18" W., 405.40 feet to a point on the centerline of said location at survey station 86+51.96, said point being in the southeast property line of the lands of Germanwood Commercial, LLC, and the northwest right-of-way line of the lands of Mississippi Department of Transportation (Highway 302 Bypass and Germantown Road), said point being the point of beginning.

Thence from the point of beginning and with the southeast property line of the lands of Germanwood Commercial, LLC and the northwest right-of-way of the lands of Mississippi Department of Transportation (Highway 302 Bypass and Germantown Road) S. 18° 15' 08" W., 8.64 feet to a point; thence leaving said point and continuing with said property line and said hwy. right-of-way S. 53° 37' 18" W., 620.59 feet to a point said point being in the southwest property line of the lands of Germanwood Commercial, LLC, and the northeast right-of-way of the lands of The Burlington Northern & Santa Fe Railway Co.; thence leaving said point and with said property line and said railroad right-of-way N. 46° 52' 29" W., 5.08 feet to a point in the centerline of the location at survey station 92+80.52; thence continuing with said property line and said railroad right-of-way N. 46° 52' 29" W., 50.85 feet to a point in the north right-of-way of said location; thence leaving said point and with said right-of-way N. 53° 37' 18" E., 708.26 feet to a point, said point being in the southeast property line of the lands of Germanwood Commercial, LLC, and the northwest right-of-way line of the lands of Mississippi Department of Transportation (Highway 302 Bypass and Germantown Road); thence leaving said point and with said property line and said hwy. right-of-way S. 18° 15' 08" W., 86.38 feet to the point of beginning and containing 0.84 acres, more or less

The above described parcel of land is lying partly in the southeast quarter of the northeast quarter of Section 28, Township 1 South, Range 6 West and partly in the northeast quarter of the southeast quarter of Section 28, Township 1 South, Range 6 West.